

AO 91 (Rev. 02/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of Texas

United States District Court
DSO-SOTX
FILED

OCT 24 2014 2B

David J. Bradley, Clerk
Laredo Division

United States of America)
v.)
Derwin COLLINS (USC) -1-2)
Kamau Artisk WINTERS (USC) -2)
Defendant)

Case No.

5:14mj1354-1-2

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 10/22/2014 in the county of Webb in the Southern District of Texas, the defendant violated 8 U. S. C. § 1324 (a) (1) (A) (ii), an offense described as follows:

did unlawfully transport Mexican nationals Jose Arturo Aguilar-Villegas, Jaime Alvarez-Garcia, Mateo Vega-Ramirez, and seven (7) other undocumented aliens by means of a motor vehicle within the Southern District of Texas knowing or in reckless disregard of the fact that said aliens had come to, entered, or remained in the United States in violation of law, and transported or moved said aliens within the United States by means of motor vehicle or otherwise, in furtherance of such violation of law.

This criminal complaint is based on these facts:

See attachment "A"

☒ Continued on the attached sheet.


Complainant's signature

Barbara McCarragher, HSI Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 10/24/2014


Judge's signature

City and state: Laredo, Texas

Honorable Diana Song Quiroga
Printed name and title

Attachment "A"

I, Barbara McCarragher, a Special Agent with Homeland Security Investigations, have knowledge of the following facts:

On October 22, 2014 at approximately 11:10 PM, a black tractor bearing Texas License Plate [REDACTED] pulling a flatbed trailer bearing Texas License Plate [REDACTED] approached the primary inspection lane at Laredo West Border Patrol Checkpoint (B35) located on U.S. Highway 83. Border Patrol Agent (BPA) Mario N. Chapa conducted an immigration inspection on the driver who was identified as Derwin COLLINS. COLLINS stated that his destination was "Springs". When asked where "Springs" was, the driver looked over to his co-driver, later identified as Kamau Artisk WINTERS, who responded "Carrizo Springs". When asked where they were going to load in Carrizo Springs, the driver responded "I don't know".

A Border Patrol K-9 alerted to the presence of contraband or concealed humans within the tractor. The vehicle was then referred to secondary inspection.

At secondary inspection, ten (10) individuals were found throughout the sleeper area. BPAs conducted immigration inspections on all ten individuals and they further admitted to being in the United States illegally.

BPAs took COLLINS and WINTERS into custody along with the ten (10) undocumented aliens (UDAs) and transported them to Laredo West Border Patrol Station. BPAs then contacted Homeland Security Investigations (HSI) Special Agents (SAs) for investigative assistance with the case.

On October 23, 2014 at approximately 12:45 AM, U.S. Immigration and Customs Enforcement (ICE), HSI Laredo, Special Agents responded to the Laredo West Border Patrol Station and conducted interviews of all subjects involved. COLLINS was advised of his Miranda warnings. COLLINS declined to speak to HSI SAs without legal counsel present, and the interview was terminated. WINTERS was also advised of his Miranda warnings. WINTERS stated that he understood the Miranda warnings, and agreed to speak with agents. Subsequently, WINTERS stated that he agreed to accompany COLLINS and that he (WINTERS) was present in the vehicle for the duration of the trip except for a bathroom break of approximately five minutes.

HSI SAs interviewed Mexican national Jose Arturo AGUILAR-Villegas. AGUILAR-Villegas stated that he crossed the River Grande River from Mexico into Laredo, Texas, on October 18, 2014. AGUILAR-Villegas stated that he stayed at an unknown location until he was transported to the tractor on October 22, 2014. AGUILAR-Villegas entered the tractor through the passenger side door, and was instructed where to hide by a black male subject. AGUILAR-

Villegas stated that he heard somebody say "Silence Immigration" in English shortly before he and the other UDAs were arrested by Border Patrol.

HSI SAs interviewed Mexican national Mateo VEGA-Ramirez. VEGA-Ramirez stated that he crossed the Rio Grande River from Mexico on October 18, 2014. VEGA-Ramirez stated that he was taken to an unknown location. VEGA-Ramirez said he was taken to another unknown location the following day, and that he stayed there until he was transported to the tractor on October 22, 2014. VEGA-Ramirez said that he entered the tractor through the passenger side door, and was then instructed to hide on the top bunk by the passenger. VEGA-Ramirez stated that the driver remained seated in the driver's seat the entire time.

HSI SAs interviewed Mexican national Jaime ALVAREZ-Garcia. ALVAREZ-Garcia stated that he arrived in Nuevo Laredo approximately one week ago. He crossed the Rio Grande River from Mexico and was taken to an unknown location. ALVAREZ-Garcia said that he stayed at the unknown location until he was transported to the tractor on October 22, 2014. ALVAREZ-Garcia stated that he entered the tractor through the passenger door. ALVAREZ-Garcia said that there was a black male in the driver's seat of the tractor, and another black male standing up in the tractor. ALVAREZ-Garcia stated that the black male standing in the tractor told the UDAs where to go inside the tractor.

Derwin COLLINS and Kamau Artisk WINTERS were charged with 8 USC 1324, Transporting Undocumented Aliens, and were booked into the Webb County Detention Center pending their initial appearances.